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April 2, 2025

VIA ECF

The Honorable Arun Subramanian, U.S.D.J.
U.S. District Court for the Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Van Duser et al. v. Tozzer LTD., et al., 1:23-cv-09329 (AS)

Dear Judge Subramanian:

This firm represents the Plaintiffs in this Fair Labor Standards Act and New York Labor Law Matter. In anticipation of tomorrow's settlement conference, we wanted to advise the Court that 4 of the 12 plaintiffs are unable to attend in person for a variety reasons: Ms. Irrizarry has temporarily relocated to Asia, Mr. Mickelsen will be in Costa Rica for the next month, Ms. Winters lives in California and Ms. Ward is a student. These individuals will, however, be available throughout the conference via phone and text to communicate regarding the negotiations and, to further assure the process moves well, have previously authorized a settlement range. We, in trying to coordinate schedules, advised defense counsel that four plaintiffs would not be able to attend in person and they did not object, likely recognizing how difficult it is to coordinate this many schedules.

We appreciate the Court's attention to this submission and respectfully request that these individuals be able to appear remotely. We respectfully apologize for not making this request sooner.

Respectfully submitted,
LIPSKY LOWE LLP

s/ Douglas B. Lipsky
Douglas B. Lipsky

CC: Counsel of Record (Via ECF)

The request is GRANTED.
**Plaintiffs' counsel shall ensure
that all plaintiffs appearing
remotely are promptly available
via phone or text.**

SO ORDERED.

A handwritten signature in blue ink, appearing to read 'Arun Subramanian'.

Arun Subramanian, U.S.D.J.

Dated: April 2, 2025